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EXAMINER

PYZOCHA, MICHAEL J

ART UNIT PAPER NUMBER

2137

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,775

Applicant(s)

JAVIDI ET AL.

Examiner

Michael Pyzocha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-97, 113 and 114 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-97, 113 and 114 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-97 and 113-114 are pending.
2. Response filed 05/25/2005 has been received and considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 9-10, 12-15, 22-23, 25-26, 46-47, 57-58, 67-68, 70-7380-81, 83-84, 113-114 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackson (US 5793871).

As per claims 1, 14, 59, 72, Jackson discloses generating an original set of data; generating a reference set of data; encoding the original set of data; encoding the reference set of data; combining the original set of data with the encoded reference set of data to generate an encrypted set of data; storing the encrypted set; and decrypting the set of data (see column 10 lines 40-57 and column 6 line 11 through column 7 line 4 and figures 2A, 2B, 5A and 5B).

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As per claims 2, 15, 60, 73, Jackson discloses the encoding of the data comprises phase encoding (see column 10 lines 40-57 and column 6 line 11 through column 7 line 4).

As per claims 9-10, 22-23, 46-47, 57-58, 67-68, 80-81, Jackson discloses recording the encrypted set of data in a hologram (see column 11 lines 10-28).

As per claims 12-13, 25-26, 70-71, 83-84, Jackson discloses the original and reference set of data comprises an optical image, a digitized image, a one dimensional set of data, a two dimensional set of data, a multi-dimensional set of data, an electrical signal or an optical signal (see column 11 lines 10-28).

As per claims 113-114, Jackson discloses reconstructing the original set (see column 11 lines 10-28).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 3-4, 8, 11, 16-17, 21, 24, 27-28, 30, 54-56, 61-62, 66, 69, 74-75, 79, 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claims 1-2, 10, 14-15, 23, 59-60, 72-73 above, and further in view of Yamaguchi et al (Phase-shifting digital holography).

As per claims 3-4, 8, 16-17, 21, 61-62, 66, 74-75, 79, Jackson fails to disclose the encoding of the data comprises phase encoding by introducing a random phase into the data and introducing the random phase using the equation:

$$U_R(x,y;\Delta\phi_p) = A_R(x,y)\exp[i(\phi_R(x,y) + \Delta\phi_p)].$$

However Yamaguchi et al teaches such a random phase (see page 1268).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for Jackson's phase encoding to be adding a random phase as in Yamaguchi et al.

Motivation to do so would have been to be able to reconstruct a cross section with higher image quality (see page 1268).

As per claims 11, 24, 69, 82, the modified Jackson and Yamaguchi et al system discloses recording the encrypted set in

a hologram according to the equation:

$$I_p(x,y) = [A_H(x,y)]^2 + [A_R(x,y)]^2 + 2A_H(x,y)A_R(x,y)\cos[\phi_H(x,y) - \phi_R(x,y) - \Delta\phi_p]$$

wherein p is an integer,

$$\phi_E(x,y) = \phi_H(x,y) - \phi_R(x,y)$$

is the encrypted phase,

$$A_E(x,y) = A_H(x,y)A_R(x,y)$$

Is the encrypted amplitude $\Delta\phi_p$ is a phase shift between the reference set of data and the original set of data $[A_H(x,y)]^2$ is the intensity of the original set of data and $[A_R(x,y)]^2$ is the intensity of the encoded reference set of data (see page 1268).

As per claims 27, 28, 30, 54-56 the modified Jackson and Yamaguchi et al system discloses generating decryption keys (see Jackson columns 9 and 10).

7. Claims 85-87, 91-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson further in view of Tan et al (Secure optical storage that uses fully phase encryption).

As per claim 85, Jackson fails to disclose encoding both the reference and original sets of data.

However Tan et al teaches such a method (see page 6689).

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At the time of the invention it would have been obvious to a person of ordinary skill in the art to encode both data sets of Jackson.

Motivation to do so would have been that optical encryption is important to provide information security (see page 6689).

As per claims 86-87, 91-92, the modified Jackson and Tan et al system discloses the claimed limitations as applied above.

8. Claims 5-7, 18-20, 63-65, 76-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Jackson and Yamaguchi et al system as applied to claims 1, 14, 59, 72 above, and further in view of Tan et al (Secure optical storage that uses fully phase encryption).

As per claims 5-7, 18-20, 63-65, 76-78, Jackson and Yamaguchi et al system fails to disclose the encoding of the data comprises amplitude encoding by introducing a random amplitude into the data and introducing the random amplitude using the equation: $U_r(x,y;\Delta\phi_r)=A_r(x,y)\exp[i(\phi_r(x,y)+\Delta\phi_r)]$.

However, Tan et al teaches amplitude encoding (see page 6689).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the encoding techniques of Tan et al in the modified Jackson and Yamaguchi et al system.

Motivation to do so would have been that amplitude encoding is one of the degrees of freedom in which an optical beam may be encoded (see Tan et al page 6689).

9. Claims 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claim 47 above, and further in view of Schnars et al (Direct recording of holograms by a CCD target and numerical reconstruction).

As per claim 48, Jackson fails to disclose reconstructing of the original set of data from the decrypted digital hologram comprises generating the discrete complex amplitude distribution of the reconstructed original set of data from the equation:

$$U_o(m', n') = \exp\left[\frac{-i\pi}{\lambda d}(\Delta x'^2 m'^2 + \Delta y'^2 n'^2)\right] \sum_{m=0}^{N_x-1} \sum_{n=0}^{N_y-1} U_d(m, n) \\ \times \exp\left[\frac{-i\pi}{\lambda d}(\Delta x^2 m^2 + \Delta y^2 n^2)\right] \exp\left[-i2\pi\left(\frac{m'm}{N_x} + \frac{n'n}{N_y}\right)\right]$$

wherein $U_d(m, n)$ is the discrete amplitude distribution of the decrypted digital hologram, m and n are coordinates in the plane of the hologram, m' and n' are coordinates in the reconstruction plane, Δx is the horizontal resolution in the hologram plane, Δy is the vertical resolution in the hologram plane, $\Delta x'$ is the horizontal resolution in the reconstruction plane, $\Delta y'$ is vertical resolution in the reconstruction plane, N_x is the number of detector pixels in the x direction and N_y is the number of detector pixels in the y direction.

However, Schnars et al teaches such a limitation (see page 180).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to reconstruct Jackson's information as in Schnars et al.

Motivation to do so would have been to allow for a discrete reconstruction (see page 180).

10. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claim 46 above, and further in view of Kitayoshi (US 5974178).

As per claim 49, Jackson fails to disclose reconstructing a segment of the original data.

However, Kitayoshi teaches such a method (see columns 4 and 5).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to reconstruct Jackson's data using segments.

Motivation to do so would have been to allow for faster computational holography (see column 4 lines 27-31).

11. Claims 88-90, 93-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson alone or in combination with Tan et al as applied to claims 10, 23, 81, 87, 92 above, and further in view of Ladino ("Data Compression Algorithms").

As per claims 88-90, 93-97, Jackson discloses distributing the hologram to remote locations (see column 11 lines 10-28).

Jackson fails to disclose compressing and decompressing the hologram on respective ends of the transmission.

However, Ladino discloses compression of data (see pages 1-6).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ladino's method of data compression to compress the holograms of Jackson.

Motivation to do so would have been that compressed data uses less space (see Ladino page 2).

Response to Arguments

12. Applicant's submission of a declaration under In Re Katz has been received and accepted. In view of the declaration new rejections have been made.

Allowable Subject Matter

13. Claims 29, 31-45, 50-53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. Regarding claims 29, 31-37, 40-45, the prior art teaches generating decryption keys for this type of system, but not the

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specific keys of claims 29 and 31. Claims 32-37 and 40-45 depend on either claim 29 or 31.

15. Regarding claims 38-39, the prior art teaches

$\phi_E(x,y) = \arctan\left(\frac{I_4 - I_2}{I_1 - I_3}\right)$ as seen in Yamaguchi et al, but fails to

teach the specific equation $A_E(x,y) = \frac{1}{4}[(I_1 - I_3)^2 + (I_4 - I_2)^2]^{1/2}$.

16. Regarding claims 50-53, the prior art teaches

reconstruction using segments but fails to teach the specific segment defined by the rectangle described in claim 50. Ford et al "Array interconnection by phase-coded optical correlation" teaches the use of the rectangle function within the art, but not within the context of claim 50. Claims 51-53 are dependent from claim 50.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tomko et al (WO 9705594) discloses a holographic method of encryption. Also submitted is another paper written by the Inventors about the claims subject material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner

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can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJP



**ANDREW CALDWELL
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